IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.1907 OF 2004

IN

SECOND APPEAL NO.485 OF 2005

Shri Mahavir Bhupal Chougule : Petitioner.

versus

Jaypal Appu Girmal & ors. : Respondents.

Mr.A.J.Chougule for the petitioner.

Mr.K.C.Shirguppe for repondent Nos.1 and 2.

CORAM : D.G.DESHPANDE,J.

DATED : 10th June 2005.

ORAL ORDER

1. In this second appeal filed by the original plaintiff, he obtained a status quo order from the court. Counsel for the respondents Mr.Shirguppe showed to me a certified copy of plaint between Bhanukumar Girmal v/s. Shantinath Girmal. The plaintiff in that suit claiming title to the very suit property by

virtue of a registered sale deed dated 5th November 2001. The certified copy of the plaint is taken on record.

2, Counsel for the respondents contends that in view of this sale deed the present plaintiff has ceased to have any right title and interest in the suit property. He also contends that the plaintiff has suppressed this fact from the court and also from the lower appellate court. Therefore, he strongly insists that the status quo order should be vacated.

3. Advocate for the appellant states that he has no instructions in this matter. He wants time. Looking to the certified copy produced by the counsel for the respondents, the status quo order is vacated. Put up the second appeal for admission after two weeks.

[D.G.DESHPANDE]

10/06/2005 JUDGE.